

SEC. 3. The Governor shall issue the necessary proclamation for such election, and shall have the same published and such election held as provided by the Constitution and laws of this State.

SEC. 4. The sum of Eight Thousand (\$8,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

[NOTE.—S. J. R. No. 3-a passed the Senate, May 1, 1935, by a vote of 26 yeas, 4 nays; passed the House, May 1, 1935, by a vote of 128 yeas, 7 nays.]

Filed in Department of State, May 11, 1935, without the Governor's signature.

**PROPOSING AMENDMENT TO CONSTITUTION ABOLISH-
ING FEE METHOD OF COMPENSATING DISTRICT
AND COUNTY OFFICERS OF CERTAIN
COUNTIES.**

S. J. R. No. 6.]

SENATE JOINT RESOLUTION.

A Joint Resolution proposing an amendment to the Constitution of the State of Texas, amending Article 16 by adding another section to be known as "Section 61", providing for the abolishing of the fee method of compensating all district officers of this State and county officers in counties of this State having a population of 20,000 or more, and providing that all such district and county officers be paid on a salary basis; and providing that the Legislature shall enact laws putting this amendment into effect; providing for the submission of this amendment to the voters of this State; and providing that all precinct officers in all counties and county officers in counties under 20,000 population may be compensated on a fee basis or on a salary basis and authorizing the Commissioners' Court to determine whether certain county and precinct officers shall be paid on a fee basis or a salary basis; and providing for the necessary appropriation to defray necessary expenses for the submission of this Amendment.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That the Constitution of the State of Texas, Article 16 be amended by adding thereto another section to be known as "Section 61," which shall read as follows:

"Sec. 61. All district officers in the State of Texas and all county officers in counties having a population of 20,000 or more, according to the then last preceding Federal Census, shall from the first day of January and thereafter, and subsequent to the first Regular or Special Session of the Legislature after the adoption of this Resolution, be compensated on a salary basis. In

all counties in this State, the Commissioners' Court shall be authorized to determine whether precinct officers shall be compensated on a fee basis or on a salary basis; and in counties having a population of less than 20,000, according to the then last preceding Federal Census, the Commissioners' Court shall also have the authority to determine whether county officers shall be compensated on a fee basis or on a salary basis.

"All fees earned by district, county and precinct officers shall be paid into the county treasury where earned for the account of the proper fund, provided that fees incurred by the State, county and any municipality, or in case where a pauper's oath is filed, shall be paid into the county treasury when collected and provided that where any officer is compensated wholly on a fee basis such fees may be retained by such officer or paid into the treasury of the county as the Commissioners' Court may direct. All Notaries Public, county surveyors and public weighers shall continue to be compensated on a fee basis."

SEC. 2. The Legislature of the State of Texas is hereby directed, at the first Regular or Special Session after the adoption of this Resolution, to enact such legislation as will be necessary to adequately compensate, on a salary basis, the officers herein referred to in all counties having a population of 20,000 or more according to the then last preceding Federal Census.

SEC. 3. The foregoing Constitutional Amendment shall be submitted to the qualified voters of the State of Texas at a special election to be held on the 24th day of August, 1935, at which election all voters favoring such proposed amendment shall write or have printed on their ballots the words:

"FOR AMENDMENT TO THE CONSTITUTION OF THE STATE OF TEXAS ABOLISHING THE FEE SYSTEM OF COMPENSATING ALL DISTRICT OFFICERS, AND ALL COUNTY OFFICERS IN COUNTIES HAVING A POPULATION OF 20,000 OR MORE: AND AUTHORIZING THE COMMISSIONERS' COURT TO DETERMINE WHETHER COUNTY OFFICERS AND PRECINCT OFFICERS IN COUNTIES CONTAINING LESS THAN 20,000 POPULATION MAY BE COMPENSATED ON A FEE BASIS OR ON A SALARY BASIS", and those opposed shall write or have printed on their ballots the words:

"AGAINST AMENDMENT TO THE CONSTITUTION OF THE STATE OF TEXAS ABOLISHING THE FEE SYSTEM OF COMPENSATING ALL DISTRICT OFFICERS, AND ALL COUNTY OFFICERS IN COUNTIES HAVING A POPULATION OF 20,000 OR MORE: AND AUTHORIZING THE COMMISSIONERS' COURT TO DETERMINE WHETHER COUNTY OFFICERS AND PRECINCT OFFICERS IN COUNTIES CONTAINING LESS THAN 20,000 POPULATION MAY BE COMPENSATED ON A FEE BASIS OR ON A SALARY BASIS."

SEC. 4. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have the same

published as required by the Constitution and existing laws of the State.

SEC. 5. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of any funds in the Treasury of the State not otherwise appropriated to pay the expenses of said publication and election.

[NOTE.—S. J. R. No. 6 passed the Senate, May 7, 1935, by a vote of 28 yeas, 1 nay; passed the House, May 3, 1935, by a vote of 108 yeas, 0 nays.]

Filed in Department of State, May 11, 1935, without the Governor's signature.

PROPOSING AN AMENDMENT TO CONSTITUTION PROVIDING FOR BOARD OF PARDONS AND PAROLES AND RELATING TO POWER OF GOVERNOR TO GRANT REPRIEVES, COMMUTATIONS OF PUNISHMENT AND PARDONS.

S. J. R. No. 26.]

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 26 Proposing an amendment to Section 11 of Article IV of the Constitution of the State of Texas, so as to provide for a Board of Pardons and Paroles, composed of three members, whose terms of office shall be for a period of six years, one to be appointed by the Governor, one by the Chief Justice of the Supreme Court of the State of Texas, and one by the presiding Justice of the Court of Criminal Appeals, such appointments to be with the advice and consent of two-thirds of the Senate present; and so as to provide that the Governor of the State shall have the power on the recommendation and advice of the majority of the Board of Pardons and Paroles to grant reprieve, commutations of punishment and pardons and to remit fines and forfeitures, and, with the advice and consent of the Legislature, to grant reprieves, commutations of punishment and pardons in cases of treason; and to provide that the Governor shall have power to grant one reprieve in any capital case not to exceed thirty (30) days; and shall have the power to revoke paroles and conditional pardons; and to provide that the Legislature shall have authority to regulate procedure before the Board and to enact parole laws; and to provide for an election for such proposed constitutional amendment, and to make an appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Section 11 of Article IV of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Section 11. There is hereby created a Board of Pardons and Paroles, to be composed of three members, who shall have been